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REMARKS:

Claims 1, 3-8, 10-14, and 16-20 were rejected as anticipated by Webb under 35 U.S.C. §102(e). These rejections are traversed. In order to anticipate these claims, each and every element of the claims must be disclosed in at least as great detail as claimed. Because Webb does not disclose a call center facilitating communications to and from a mobile vehicle, Webb does not disclose receiving a subscriber event request at a call center facilitating communications to and from a mobile vehicle, as claimed in claims 1, 8, and 14, and this rejection must fall.

Additionally, Webb does not disclose sending a subscriber notification including an action associated with the event as claimed in claims 1, 8, and 14. At most, Webb discloses in ¶¶29-30:

> [0029] After this gift idea and event date information is entered, a method of gift searching must be selected. Auto gift search function 142 instructs gift reminder service provider 30 to perform an automatic Internet search for gift merchant web sites 34, 36 in association with a specified gift idea. The search results will be included in the reminder notification as links to gift merchant web sites 34, 36 that sell gifts related to the gift idea. Custom gift search function 144 permits the user to perform a custom gift search either at the time the gift idea is registered, or at a later time when the

user receives a gift reminder notification. Gift merchant links function 140 provides links to gift merchant websites 34 that already have a relationship with the gift reminder web site 48. Reminder activation function 148 triggers the registration of all data entered or selected in gift registry 110 for storage into database 44 and memory 42 for later retrieval and for display on calendar 46. When calendar 74 and database 72 of standalone computing system 70 are used to track gifts and event dates, system 70 receives periodic updates of gift and event date information from gift reminder service provider 30. The updates are performed automatically or at the initiation of the user.

[0030] In addition, after the gift idea and event date is a registered with the web site 100, the same gift registry information can be downloaded into standalone computing system 70 to permit operation of database 72 and calendar 74 for tracking gifts. Moreover, an executable software module operating substantially similar to gift reminder home page 100 can be downloaded into and operated on standalone computing system 70 to permit use of the method and system of the present invention in an off-line mode. In addition, since user interface 20 on display 80 of standalone computing system 70 optionally has substantially the same appearance, features and attributes of gift reminder web site 48, the gift idea and event date information can first be entered on standalone computing system 70 and then uploaded into gift reminder service web site 48.

Webb does not disclose that the notification to the subscriber includes any instructions to perform an action.

At most, Webb discloses a gift reminder service provider. See, ¶27 of Webb. The gift reminder service provider is not the same as the claimed call center. The claimed call center facilitates communications to and from a mobile vehicle.

Claims 3-7, 10-13, and 16-20 depend directly or indirectly from claims 1, 8, or 14 respectively and are therefore allowable over Webb for at least the same reasons. Withdrawal of the rejections to claims 1, 3-8, 10-14 and 16-20 is requested.

Claims 2, 9, 15 and 21 were rejected as unpatentable over Webb under 35 U.S.C. §103(a). These rejections are traversed. Claims 2, 9, and 15 depend directly from one of claims 1, 8, or 14 respectively, and are therefore allowable over Webb for at least the same reasons. Claim 21 has been cancelled, and the subject matter claimed in claim 1. Furthermore, there must be some motivation to modify the reference as the Examiner has suggested. The Examiner provides no explanation as to why "it would be obvious" to provide a gift reminder and purchasing system to a subscriber using a device *embedded in a vehicle*. The Examiner cannot support a rejection merely because the references *can be* combined.

The mere fact that Webb can be modified as suggested by the Examiner (which Applicant does not concede) to obtain the claimed invention as recited in claims 2, 9, and 15 does not render the resultant modification obvious unless the prior art also suggests the desirability of the combination. See, *In re Mills*, 916 F.2d 680, 16 USPQ2d 1430 (Fed. Cir. 1990) (Claims were directed to an apparatus for producing an aerated cementitious composition by drawing air into the cementitious composition by driving the output pump at a capacity greater than the feed rate. The prior art reference taught that the feed means can be run at a variable speed, however the court found that this does not require that the output pump be run at the claimed speed so that air is drawn into the mixing chamber and is entrained in the ingredients during operation. Although a prior art device "may be capable of being modified to run the way the apparatus is claimed, there must be a suggestion or motivation in the reference to do so." 916 F.2d at 682, 16 USPQ2d at 1432.). See also *In re Fritch*, 972 F.2d 1260, 23 USPQ2d 1780 (Fed. Cir. 1992) (flexible landscape edging device which is conformable to a ground surface of varying slope not suggested by combination of prior art references).

Indeed, since Webb teaches that the "gift reminder notification is viewable on [a] user interface" (abstract, Webb), those of ordinary skill in the art could well be motivated against providing the notification to one in a vehicle because of a potential for distraction while driving. Also, Applicant notes the disjoint between the Examiner's §103(a) rejection, and the allegation that the elements of claim 21 are "not novel." See, page 6 of the December 12, 2005 office action.

Withdrawal of the rejections to claims 2, 9, 15 and 21 is requested.

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The rejection of claim 23 as unpatentable over Webb in view of DeKock is traversed. The combination of Webb and DeKock fails to teach or suggest that the action includes tuning a radio receiver to a predetermined station. At most, Webb in view of DeKock teaches sending a traffic update to a display in a user's vehicle – not providing instructions to tune a radio receiver to a predetermined station. See, DeKock, ¶59:

> every morning at 7:30 a.m. The computer system 40 auto-
> matically sends to the user station 52 at the predetermined
> time (7:30 a.m., for example) the traffic information col-
> lected from the traffic monitoring units 20. The information
> could be sent to be displayed, such as in FIG. 3, or could be
> sent alternatively in a text or graphical format via e-mail.
> The traffic report may also be provided in a format specific
> to the user's geographic region and/or user's driving habits,
> such as anticipated (potential) route to be traveled. The
> computer system 40 may also automatically send the traffic
> information to a display in the user's vehicle in response to
> some event, such as turning on the vehicle, time, key press,
> etc.

Therefore, DeKock unequivocally teaches away from claim 23.

Withdrawal of the rejection to claim 23 is requested.

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The rejection of claim 24 as unpatentable over Webb in view of Liao is traversed. The combination of Webb and Liao fails to teach or suggest that the action includes retrieving a stock quote for the predetermined stock at the predetermined time and providing the stock quote to the subscriber within a mobile vehicle using a text to speech synthesizer. At most, Webb in view of Liao teaches receiving quotes, and not retrieving quotes. See, Liao, ¶6:

> [0006] Several Internet services provide personalized content including stock quotes, local weather, news headlines, and sports scores. See, for example, my.yahoo.com. Mobile implementations are typically based on cellular networks. For example, Semotus Solutions Inc., formerly DataLink Systems Corporation of Canada, provides the QuoteXpress service. It transmits personalized stock quotes and alerts to pagers and personal cellular service (PCS) devices. However, QuoteXpress does not transmit data to each receiver continuously. A user is limited to one set of updates in each of the 46 predetermined time windows. Some other services use wireless connections through cellular or proprietary networks to provide mobile access to Internet and the online personalization services. Usage of these cellular and paging services requires a subscription and its associated fee. These services can support only limited numbers of receivers and subscribers. These limits are imposed by, for example, the number of valid telephone numbers and by the number of allowable concurrent connections within each network cell.

Withdrawal of the rejection to claim 24 is requested.

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SUMMARY:

Claims 1-20 and 22-24 as set forth fully satisfy the requirements of 35 U.S.C. §§102, 103, and 112. In view of foregoing remarks, favorable consideration and early passage to issue of the present application are respectfully requested.

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